



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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August 5, 2008

VIA FAX TO (212) 805-6326

MEMO ENDORSED

Hon. Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street, Room 640
New York, NY 10007

RE: SEC v. Michael W. Crow, et al., 07 Civ. 3814 (CM)

Dear Judge McMahon:

On July 17, 2008, the Court set a final pretrial conference in the above-reference case for October 3, 2008 at 2:00 pm, and a trial commencement date of October 14, 2008 at 9:30 am. On July 25, 2008, the Court denied the Commission's request for a continuance of the pretrial conference and trial dates, which request was necessitated by a scheduling conflict with then-lead counsel for the Commission. The undersigned has been newly assigned to try this case. Prior to her assignment to this case, the undersigned had planned a trip that conflicts with the pretrial conference date of October 3, 2008, for which her tickets had been purchased and travel arrangements had been made. The undersigned has discussed this conflict with counsel for the defendants and has confirmed that all counsel are amenable to change the date of the pretrial conference to the morning of October 6, 2008, or anytime on October 7, 2008.

Counsel for the Commission respectfully requests that the pretrial conference, currently set for October 3, 2008, be changed to the morning of October 6 or to October 7. Aside from the Commission's previous request for a continuance of the trial date, no other requests for adjournment of the pretrial conference have been made. If no adjournment is granted, the undersigned respectfully requests that she be permitted to appear by telephone at the pretrial conference.

Respectfully submitted,

Valerie A. Szczepanik
Senior Trial Counsel

cc: Alison B. Cohen, Esq. (by email)
Howard Sirota, Esq. (by email)

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Request for adj. of FPRC
is granted. The FPRC
will be held on Oct 6, 2008
at 11 AM.